

# Mandatory Criminal History Check Notice

<b>Agency Name:</b> _____		
<b>Address:</b> _____		
<b>City:</b> _____	<b>State:</b> _____	<b>Zip:</b> _____

Alabama law requires that a criminal history background information check be conducted on applicants for certain DHR positions and on all persons who hold a license or work in a Department of Human Resources licensed child care or adult care home, a foster or adoptive home approved by the Department of Human Resources, or a licensed child placing agency, including all officers and agents of the entity. You are required to provide full, accurate and complete information on your criminal conviction history upon application for a license or employment. This information shall be used to determine your suitability to provide care for children, the elderly, or disabled individuals. Unless a criminal history background check information check report and suitability determination have previously been obtained, you must complete a written request and consent for a criminal history background information check with fingerprints at the time of application for employment. Refusal to complete these documents or providing false information shall result in refusal of employment, approval, or licensure. The term conviction includes a determination of guilt by a trial, by a plea of guilty, or a plea of nolo contendere. Any individual determined to have submitted false information will be referred to the district attorney or law enforcement for investigation and possibly prosecution. An individual who intentionally falsifies any information on a statement is guilty of a class A misdemeanor, punishable by a fine of not more than two thousand dollars (\$2,000) and imprisonment for not more than one year.

Convictions for any of the following crimes shall make an individual unsuitable for employment, volunteer work, approval, or licensure:

1. Murder, manslaughter, or criminally negligent homicide.

2. A sex crime.

A sex crime includes the following:

- a) Enticing a child to enter a vehicle, room, house, office, or any other space for immoral purposes, as proscribed by Section 13A-6-69 of the Code of Alabama 1975.
- b) Incest, when the offender is an adult and the victim is a minor, as proscribed by Section 13A-13-3 of the Code of Alabama 1975.
- c) Kidnapping of a minor, except by a parent, in the first or second degree, as proscribed by Section 13A-6-43 or Section 13A-6-44 of the Code of Alabama 1975.
- d) Promoting prostitution in the first degree or second degree, as proscribed by Section 13A-12-111 or Section 13A-12-112 of the Code of Alabama 1975.
- e) Rape in the first or second degree, as proscribed by Section 13A-6-61 or Section 13A-6-62 of the Code of Alabama 1975.
- f) Sexual misconduct, as proscribed by Section 13A-6-65 of the Code of Alabama 1975.
- g) Sexual torture, as proscribed by Section 13A-6-65 of the Code of Alabama 1975.
- h) Sexual abuse in the first or second degree, as proscribed by section 13A-6-66 or Section 13A-6-67 of the Code of Alabama 1975.
- i) Sodomy in the first or second degree, as proscribed in Code 13A-6-63 or Section 13A-6-64 of the Code of Alabama 1975.
- j) Soliciting a child by computer for the purposes of committing a sexual act and transmittal of obscene material to a child by computer as proscribed by Sections 13A-6-110 and 13A-6-111 of the Code of Alabama 1975.
- k) Violation of the Alabama Child Pornography Act, as proscribed by Sections 13A-12-191, 13A-12-192, 13A-12-196, or 13A-12-197 of the Code of Alabama 1975.
- l) Any solicitation, attempt, or conspiracy to commit any of the offenses listed in paragraphs a. to k., inclusive.
- m) A crime listed in the Community Notification Act, Chapter 20 of Title 15 of the Code of Alabama 1975.

3. A crime that involves the physical or mental injury or maltreatment of a child, the elderly, or an individual with disabilities.

4. A crime committed against a child.

5. A crime involving the sale or distribution of a controlled substance.

6. Robbery.

7. Conviction for a violation or attempted violation of an offense committed outside the State of Alabama for a sex crime or any other crime if the offense would be a crime in Alabama.

## Criminal History Statement

Have you ever had a suitability determination made by the Department of Human Resources in connection with a previous criminal history information background check? Yes ( ☐ ) No ( ☐ ) If yes, send the form to DHR.

Have you ever been convicted of a crime? Yes ( ☐ ) No ( ☐ ). If yes, state on the lines below the date, crime, location, punishment imposed, and whether the victim was a child, an elderly or disabled individual.

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Date: \_\_\_\_\_ Signature: \_\_\_\_\_ Print Name: \_\_\_\_\_

SSN# \_\_\_\_\_